

Feb 21, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BULMARO TORRES,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-CV-3111-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Daphne Banay represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The administrative law judge (ALJ) shall hold a *de novo* hearing on remand and issue a new decision. On remand, the ALJ shall: (1) further evaluate Plaintiff's English language proficiency; and (2) reevaluate the Plaintiff's residual

functional capacity as necessary. The ALJ may take any other actions necessary to develop the record, and Plaintiff may submit additional evidence and present additional argument.

2. Judgment shall be entered for PLAINTIFF.

3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is

STRICKEN AS MOOT.

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED February 21, 2018.



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JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE